

MR. CHAMBERLAIN: Mr. Speaker, I rise with respect to an article which appeared in the Washington Post this morning entitled "Question: Do Congressmen Steal," by the columnists Drew Pearson and Jack Anderson.

THE SPEAKER: The gentleman from Michigan is recognized under the question of personal privilege.

Debate on the question then ensued.

### ***In the Committee of the Whole***

#### **§ 21.4 Under the modern practice, a question of personal privilege may not be raised in the Committee of the Whole.**

On Dec. 13, 1973,<sup>(12)</sup> during consideration by the Committee of the Whole of amendments to H. R. 11450, the Energy Emergency Act, Mr. John D. Dingell, of Michigan, rose to a question of personal privilege. In refusing to grant recognition to the Member for that purpose, the Chairman pro tempore<sup>(13)</sup> stated that a question of personal privilege could not be entertained in the Committee of the Whole.<sup>(14)</sup>

12. 119 CONG. REC. 41271, 93d Cong. 1st Sess. For further illustrations see 115 CONG. REC. 24372, 91st Cong. 1st Sess., Sept. 4, 1969; 105 CONG. REC. 11289, 86th Cong. 1st Sess., June 18, 1959; and 95 CONG. REC. 2652, 81st Cong. 1st Sess., Mar. 16, 1949.

13. John J. McFall (Calif.).

14. *Parliamentarian's Note*: Although pursuant to the modern practice a

## **§ 22. Debate on the Question; Speeches**

### ***Applicability of Hour Rule***

#### **§ 22.1 The hour rule applies to debate on a question of personal privilege of a Member.**

On Apr. 19, 1972,<sup>(15)</sup> Mr. Cornelius E. Gallagher, of New Jersey, rose to a question of personal privilege. After hearing Mr. Gallagher's statement of the question, the Speaker<sup>(16)</sup> recognized him for one hour.

### ***Response to Member Raising Question***

#### **§ 22.2 On one occasion, a Member asked for a special order which he used to respond to a question of personal privilege raised by another Member, in order to deny any intention to impugn the motives or veracity of that Member.**

question of personal privilege may not be raised in the Committee of the Whole, early precedent suggests that such a question could be raised if the matter in issue arose during the Committee proceedings. See 3 Hinds' Precedents §2540.

15. 118 CONG. REC. 13491, 92d Cong. 2d Sess.

16. Carl Albert (Okla.).

On July 29, 1970,<sup>(17)</sup> the Speaker pro tempore<sup>(18)</sup> announced that, under a previous order of the House, Mr. Philip M. Crane, of Illinois, was recognized for 45 minutes. Mr. Crane then took the floor to respond to a question of personal privilege raised by Mr. Augustus F. Hawkins, of California, and denied any intention to impugn the motives or veracity of that Member.<sup>(1)</sup>

***Special-order Speech as Alternative to Raising the Question***

**§ 22.3 Rather than raising the question of personal privilege, a Member obtained unanimous consent to proceed for five minutes—to refute a newspaper’s criticism—during that part of the day when he would normally have been recognized for only a one-minute speech.**

On June 29, 1962,<sup>(2)</sup> during proceedings when Members were being recognized for one-minute speeches, the Speaker<sup>(3)</sup> recog-

nized Mr. H. Carl Andersen, of Minnesota, for the purpose of seeking unanimous consent that he be permitted to proceed for five minutes to revise and extend his remarks. There being no objection to the request, the Member proceeded to refute a newspaper charge of improper conduct which had been made against him.<sup>(4)</sup>

**§ 22.4 On one occasion, in lieu of raising a question of personal privilege, a Member took the floor for a one-minute speech to respond to a newspaper article which included an unfavorable reference to his congressional service.**

On Nov. 22, 1967,<sup>(5)</sup> Mr. Paul A. Fino, of New York, asked and was given permission to address the House. He then delivered a one-minute speech responding to a newspaper article which included derogatory comments on his congressional service.<sup>(6)</sup>

17. 116 CONG. REC. 26436–39, 91st Cong. 2d Sess.

18. Harley O. Staggers (W. Va.).

1. See 116 CONG. REC. 26002, 91st Cong. 2d Sess., July 28, 1970.

2. 108 CONG. REC. 12297, 87th Cong. 2d Sess.

3. John W. McCormack (Mass.).

4. *Parliamentarian’s Note*: Mr. Andersen had requested, before the opening of the session, that he be recognized on the point of personal privilege. Since the House had a busy schedule, the Speaker suggested that the business of the House could be expedited if Mr. Andersen would simply ask to proceed for five minutes rather than take an hour under a point of personal privilege.

5. 113 CONG. REC. 33693, 90th Cong. 1st Sess.

6. *Parliamentarian’s Note*: Mr. Fino had asked the Speaker to recognize

**§ 22.5 Although in stating a question of personal privilege a Member is required to confine his remarks to the question involved, he is entitled to discuss related matters necessary to challenge the charge against him.**

On Feb. 28, 1956,<sup>(7)</sup> during his statement of a question of personal privilege based on a newspaper article assailing his integrity, Mr. Craig Hosmer, of California, made reference to certain extraneous matters, including informational tables. A point of order against the statement of the question was raised by Mr. Byron G. Rogers, of Colorado, as follows:

... For the last 5 minutes the gentleman has made no reference to the truth or falsity of the charge that he raised under his question of personal privilege. On the contrary, he has placed before the Members of the House a chart, and from that he now proceeds to discuss the bill. It has no relation to the truth or falsity of the charge. The gentleman has refused to permit anyone to ask him any questions and proceeds to discuss this bill,

him on a point of personal privilege, but it was suggested that a one-minute speech would serve his purpose equally well, since there was no business scheduled for the day, and he could be recognized following the reading of the Journal.

7. 102 CONG. REC. 3477, 3479, 3480, 84th Cong. 2d Sess.

so that it does not come within the definition of personal privilege, on which grounds he sought the floor.

In his decision overruling the point of order the Speaker pro tempore<sup>(8)</sup> said:

The Chair might state that he feels that the gentleman from California is very close to the line where the Chair may sustain a point of order. As the Chair understands it, the gentleman has the right to discuss the facts involved in the pending bill insofar as that is necessary in order for the gentleman to express his views with reference to the charge of falsehood contained in the editorial, and to answer that charge, and make his record in that respect. The Chair again suggests to the gentleman from California, having in mind the observations of the Chair, particularly those just made, that he proceed in order and confine his discussion of the bill at this time only to that which is necessary to challenge the charge of falsehood contained in the editorial.

**§ 23. Precedence of the Question; Interrupting Other Business**

***Precedence as to the Journal***

**§ 23.1 A Member rising to a question of personal privilege may not interrupt the reading of the Journal.**

8. John W. McCormack (Mass.).